



**AFTER FINAL COMMUNICATION
EXPEDITED PROCEDURE
ART UNIT 2116**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>Applicant(s): KABUNE et al.</p> <p>Application No.: 09/824,709</p> <p>Filed: April 4, 2001</p> <p>Title: ELECTRONIC CONTROL APPARATUS HAVING A PLURALITY OF POWER SOURCE CIRCUITS</p> <p>Attorney Docket No.: 01-129</p>	<p>Corres. and Mail BOX AF</p> <p>Group Art Unit: 1768</p> <p>Examiner: YANCHUS III, Paul B.</p>
---	---

April 7, 2005

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

RESPONSE UNDER 37 CFR 1.116

Sir:

In response to the Final Rejection dated December 14, 2004 received in connection with the above-referenced application, please consider the appended remarks.

Remarks/Arguments begin on page 2 of this paper.

REMARKS

Reconsideration of the present application is respectfully requested.

The Examiner has rejected claims 1, 2 and 6 under 35 USC 103(a) as being obvious in view of the combination of Yamasaki and Curiger. This rejection is respectfully traversed.

As discussed in the Amendment filed on September 9, 2004, claims 1, 2 and 6 as amended generally recite that a microcomputer is immediately reset when voltages from power sources are not within specified ranges or are not below specified voltages. Support for these amendments may be found, for example, on page 19, line 23 – page 20, line 1 and page 25, lines 9-12.

The Examiner in the present Final Rejection suggests that, while Yamasaki does not teach or suggest resetting a microcomputer when a voltage abnormality is detected, Curiger cures this deficiency by allegedly teaching resetting of a microcontroller immediately upon detecting that a voltage supply drops below a predetermined voltage.

Applicants assert that one skilled in the art would not be motivated to combine Yamasaki and Curiger as suggested by the Examiner. As noted by the Examiner, col. 3, lines 17-25 of Yamasaki discloses a computer system power supply that is stopped when a voltage abnormality is detected. However, the power supply is stopped only after a delay to ensure that various save operations of the computer are completed before system power off is completed. (See, for example, col. 6, lines 3-42.)

Curiger describes a microcontroller that is reset when the voltage goes below a predetermined voltage (col. 7, lines 27-30) and when the temperature falls outside of a predetermined temperature window (col. 8, lines 8-10). Curiger does not explicitly discuss immediately resetting a voltage. Even assuming *arguendo* that Curiger does

teach an immediate voltage reset, Curiger nonetheless *teaches away from* Yamasaki, because in Yamasaki a delay is necessary for computer save operations as discussed above. Therefore, it would be counterintuitive for one skilled in the art to apply the teaching of an immediate voltage reset as allegedly taught by Curiger to the computer system in Yamasaki when Yamasaki specifically teaches that a delay is necessary before voltage reset.

As the teaching provided by the combination of Yamasaki and Curiger does not render the present invention as recited in claims 1, 2 and 6 obvious, and as the motivation to combine the two references as asserted by the Examiner does not exist, the Examiner has failed to establish a *prima facie* case of obviousness. Therefore, it is respectfully requested that the Examiner's rejection of claims 1, 2 and 6 under 35 USC 103(a) be withdrawn.

The Examiner has rejected claims 3 and 7 under 35 USC 103(a) as being obvious in view of the combination of Yamasaki, Curiger and Carter. This rejection is respectfully traversed.

Yamasaki and Curiger are inapplicable for the above discussed reasons. The Examiner again asserts that Carter teaches detecting if current being input to a computer deviates from a predetermined range.

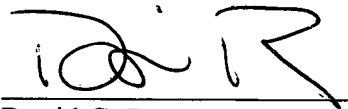
However, Carter neither teaches nor suggests resetting the microcomputer immediately when the supplied voltages from power sources are not within specified ranges or are not below specified voltages as now generally recited in claim 1, from which claim 3 depends, or when abnormality detection circuits detect abnormal values of power source voltages or currents as recited in claim 7.

Therefore, as the combination of Yamasaki, Curiger and Carter does not render the present invention as recited in claims 3 and 7 obvious, it is respectfully requested that the Examiner's rejection of claims 3 and 7 under 35 USC 103(a) be withdrawn.

In view of the above remarks, the present application is believed to be in condition for allowance. A prompt notice to that effect is respectfully requested.

Although no fees are believed to be due, permission is hereby given to charge any unforeseen fees to deposit account 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. G. Posz', written over a horizontal line.

David G. Posz
Reg. No. 37,701
Customer No. 23400

Posz Law Group, PLC
12040 South Lakes Drive
Suite 101
Reston, VA 20191
(703) 707-9110